

**FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 10, 2004**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Campbell, Wills. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Danika Kramer, Page.

**Approval of Journal**

March 10, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-eighth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 9, 2004

Mr. Speaker:

I transmit herewith enrolled **S 1381, S 1385, S 1386, S 1387, S 1396, S 1397, S 1398, S 1399, S 1400, S 1401, S 1402, S 1403, S 1404, and S 1405** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1381, S 1385, S 1386, S 1387, S 1396, S 1397, S 1398, S 1399, S 1400, S 1401, S 1402, S 1403, S 1404, and S 1405** and, when so signed, ordered them returned to the Senate.

March 9, 2004

Mr. Speaker:

I transmit herewith **S 1317**, as amended, **S 1307**, as amended, **S 1269**, as amended, **S 1313**, as amended, **S 1373**, as amended, **S 1350**, as amended, **S 1329**, as amended, **S 1289, S 1418, S 1407, S 1430, S 1431, S 1432, S 1433, S 1434, S 1388, S 1292, S 1391, S 1389, S 1438, and S 1439** which have passed the Senate.

WOOD, Secretary

**S 1317**, as amended, **S 1307**, as amended, **S 1269**, as amended, **S 1313**, as amended, **S 1373**, as amended, **S 1350**, as amended, **S 1329**, as amended, **S 1289, S 1418, S 1407, S 1430, S 1431, S 1432, S 1433, S 1434, S 1388, S 1292, S 1391, S 1389, S 1438, and S 1439** were filed for first reading.

March 9, 2004

Mr. Speaker:

I return herewith **HJM 15, HCR 40, HJM 17, HCR 39, and HCR 45** which have passed the Senate.

WOOD, Secretary

**HJM 15, HCR 40, HJM 17, HCR 39, and HCR 45** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

March 10, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 825, H 826, H 827, H 828, H 829, H 830, H 831, H 832, and HJM 25**.

FIELD(18), Chairman

**H 825, H 826, H 827, and H 832** were referred to the Revenue and Taxation Committee.

**H 829** was referred to the Health and Welfare Committee.

**H 831** was referred to the Commerce and Human Resources Committee.

**H 828, H 830, and HJM 25** were filed for second reading.

March 10, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 51 and HCR 47**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 51 and HCR 47**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 9, 2004

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 809** and recommend that it do pass.

CROW, Chairman

**H 809** was filed for second reading.

March 9, 2004

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 747** and report it back without recommendation.

CROW, Chairman

**H 747** was filed for second reading.

March 9, 2004

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1282, S 1256, S 1257, S 1258, and S 1259** and recommend that they do pass.

SCHAEFER, Chairman

**S 1282, S 1256, S 1257, S 1258, and S 1259** were filed for second reading.

March 9, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1260 and S 1371** and recommend that they do pass.

FIELD(18), Chairman

**S 1260 and S 1371** were filed for second reading.

March 9, 2004

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 803, H 812, S 1276, and S 1382** and recommend that they do pass.

BLACK, Chairman

**H 803, H 812, S 1276, and S 1382** were filed for second reading.

March 9, 2004

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **HJM 23, HJM 24, S 1367, and SCR 129** and recommend that they do pass.

STEVENSON, Chairman

**HJM 23, HJM 24, S 1367, and SCR 129** were filed for second reading.

March 10, 2004

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 811** and recommend that it do pass.

DEAL, Chairman

**H 811** was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

Mr. Stevenson asked unanimous consent that **HJM 23** be placed on General Orders for consideration. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **H 816** be placed on General Orders for consideration. There being no objection, it was so ordered.

#### **HOUSE BILL NO. 833 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO PROMPT PAYMENT OF CLAIMS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 41, IDAHO CODE, TO DEFINE TERMS, TO REQUIRE THE PROMPT PAYMENT OF CLAIMS, TO PROVIDE FOR INTEREST PAYMENTS, TO PROVIDE THAT INSURERS ARE NOT REQUIRED TO ACCEPT AN ASSIGNMENT OF PAYMENT, TO PROVIDE EXCEPTIONS AND TO PROVIDE PENALTIES; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR APPLICATION.

#### **HOUSE BILL NO. 834 BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO INSURANCE; AMENDING SECTION 67-5761, IDAHO CODE, TO REVISE THE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION RELATING TO GROUP INSURANCE; AMENDING SECTION 67-5762, IDAHO CODE, TO REVISE OBJECTIVES AND CONSIDERATIONS, TO PROVIDE FOR DATA COLLECTION AND REPORTS, TO ENCOURAGE COST CONTAINMENT AND TO MAKE TECHNICAL CHANGES; AMENDING SECTION 67-5763, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO PROVIDE THAT AFTER A SPECIFIED DATE ALL POLITICAL SUBDIVISIONS OF THE STATE SHALL CONTRACT WITH THE DEPARTMENT OF ADMINISTRATION FOR A PLAN OF GROUP INSURANCE AND ARRANGEMENTS WITH PREPAYMENT PLANS, TO PROVIDE FOR GOVERNANCE OF SUCH PLANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5767, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO PROVIDE THAT THE DIRECTOR SHALL RENDER CERTAIN SERVICES TO POLITICAL SUBDIVISIONS OF THE STATE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-5769, IDAHO CODE, TO PROVIDE FOR PAYMENTS FROM POLITICAL SUBDIVISIONS OF THE STATE RELATING TO GROUP INSURANCE AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

**H 833 and H 834** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1317**, as amended, and **S 1292**, by Health and Welfare Committee, were introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1418**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Health and Welfare

Committee.

**S 1307**, as amended, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Local Government Committee.

**S 1269**, as amended, by Local Government and Taxation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

**S 1313**, as amended, by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

**S 1373**, as amended, and **S 1438**, by State Affairs Committee, were introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1350**, as amended, and **S 1329**, as amended, by Education Committee, were introduced, read the first time by title, and referred to the Education Committee.

**S 1289**, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Business Committee.

**S 1391** and **S 1389**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Business Committee.

**S 1407** and **S 1388**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**S 1439**, by State Affairs Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

**S 1430**, **S 1431**, **S 1432**, **S 1433**, and **S 1434**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

#### **Second Reading of Bills and Joint Resolutions**

**H 822**, **H 823**, and **H 824**, by Appropriations Committee, were read the second time by title and filed for third reading.

**S 1298**, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

**H 797** and **H 751**, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

**SCR 130**, **SCR 131**, and **S 1372**, by State Affairs Committee, were read the second time by title and filed for third reading.

**S 1279**, as amended, as amended in the House, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**S 1415**, **S 1423**, **S 1424**, **S 1425**, **S 1426**, **S 1427**, and **S 1428**, by Finance Committee, were read the second time by title and filed for third reading.

**H 666**, as amended, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

**H 728**, as amended, by Education Committee, was read the second time by title and filed for third reading.

**H 752**, as amended, **H 754**, as amended, and **H 799**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Twelfth Order of Business.

#### **Consideration of General Orders**

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

#### **Report of the Committee of the Whole House**

March 10, 2004

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 757**, **H 760**, **H 761**, and **H 816** and report them back without recommendation, amended as follows:

#### **HOUSE AMENDMENT TO H 757**

##### **AMENDMENTS TO SECTION 1**

On page 1 of the printed bill, in line 14, delete "including, but not limited to, hospitals, skilled nursing facilities," and insert: "such as"; in line 19, delete "Whether" and insert: "The principal insurers with which", and also in line 19, delete "with the patient's"; in line 20, delete "insurer,"; following line 23, insert:

"(b) If asked, the health care provider shall use its best efforts to inform the patient whether the health care provider participates with the patient's insurer"; in line 24, delete "(b)" and insert: "(c)"; and in line 28, delete "(c)" and insert: "(d)".

**HOUSE AMENDMENT TO H 760****AMENDMENT TO SECTION 2**

On page 5 of the printed bill, following line 7, insert:

"(9) (a) Subject to the requirements of this subsection, a taxpayer who earns and is entitled to the credit or to an unused portion of the credit allowed by this section may transfer all or a portion of the unused credit to:

(i) Another taxpayer required to file a return under this chapter; or

(ii) To an intermediary for its use or for resale to a taxpayer required to file a return under this chapter.

In the event of either such a transfer, the transferee may claim the credit on the transferee's income tax return originally filed during the calendar year in which the transfer takes place and, in the case of carryover of the credit, on the transferee's returns for the number of years of carryover available to the transferor at the time of the transfer unless earlier exhausted.

(b) Before completing a transfer under this subsection, the transferor shall notify the state tax commission of its intention to transfer the credit and the identity of the transferee. The state tax commission shall provide the transferor with a written statement of the amount of credit available under this section as then appearing in the commission's records and the number of years the credit may be carried over. The transferee shall attach a copy of the statement to any return in regard to which the transferred credit is claimed.

(c) In the event that after the transfer the state tax commission determines that the amount of credit properly available under this section is less than the amount claimed by the transferor of the credit or that the credit is subject to recapture, the commission shall assess the amount of overstated or recaptured credit as taxes due from the transferor and not the transferee. The assessment shall be made in the manner provided for a deficiency in taxes under this chapter.";

and in line 8, delete "(9)" and insert: "(10)".

**CORRECTION TO TITLE**

On page 1, delete line 9, and insert: "CARRYOVER OF UNUSED CREDITS, TO PROVIDE PROCEDURES AND TO PROVIDE TRANSFERABILITY; AMENDING SECTION".

**HOUSE AMENDMENT TO H 761****AMENDMENTS TO SECTION 1**

On page 1 of the printed bill, in line 17 following "kilowatt" insert: "hour".

On page 2, following line 5, insert:

"(4) (a) Subject to the requirements of this subsection, a taxpayer who earns and is entitled to the credit or to an unused portion of the credit allowed by this section may transfer all or a portion of the unused credit to:

(i) Another taxpayer required to file a return under this chapter; or

(ii) To an intermediary for its use or for resale to a taxpayer required to file a return under this chapter.

In the event of either such a transfer, the transferee may claim

the credit on the transferee's income tax return originally filed during the calendar year in which the transfer takes place and, in the case of carryover of the credit, on the transferee's returns for the number of years of carryover available to the transferor at the time of the transfer unless earlier exhausted.

(b) Before completing a transfer under this subsection, the transferor shall notify the state tax commission of its intention to transfer the credit and the identity of the transferee. The state tax commission shall provide the transferor with a written statement of the amount of credit available under this section as then appearing in the commission's records and the number of years the credit may be carried over. The transferee shall attach a copy of the statement to any return in regard to which the transferred credit is claimed.

(c) In the event that after the transfer the state tax commission determines that the amount of credit properly available under this section is less than the amount claimed by the transferor of the credit or that the credit is subject to recapture, the commission shall assess the amount of overstated or recaptured credit as taxes due from the transferor and not the transferee. The assessment shall be made in the manner provided for a deficiency in taxes under this chapter."

**CORRECTION TO TITLE**

On page 1, delete line 6 and insert: "DEFINE TERMS, TO PROVIDE FOR CARRYOVER AUTHORITY AND TO PROVIDE TRANSFERABILITY; DECLARING AN EMER-".

**HOUSE AMENDMENT TO H 816****AMENDMENTS TO SECTION 1**

On page 1 of the printed bill, following line 15, insert:

"(1) Are consigned directly to a slaughter facility; or";

in line 16, delete "(1)" and insert: "(2)"; and in line 18, delete "(2)" and insert: "(3)".

**CORRECTION TO TITLE**

On page 1, in line 5, delete "CERTAIN IDENTIFICATION REQUIREMENTS ARE"; in line 6, delete "MET" and insert: "THEY ARE CONSIGNED DIRECTLY TO A SLAUGHTER FACILITY OR BEAR THE BRAND "C" ON THE NECK, AND ARE IDENTIFIED WITH A RADIO FREQUENCY IDENTIFICATION DEVICE".

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 757**, as amended, **H 760**, as amended, **H 761**, as amended, and **H 816**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh

Order of Business.

### Third Reading of Bills and Joint Resolutions

**H 818** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **H 818** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Kulczyk, McKague, Sali, Wood. Total -- 5.

Absent and excused -- Campbell, Crow, Gagner, Meyer, Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 818** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 819** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **H 819** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Campbell, Crow, Gagner, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 819** passed the House.

Title was approved and the bill was ordered transmitted to the Senate.

**H 820** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **H 820** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Campbell, Gagner, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 820** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 821** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 821** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Campbell, Edmunson, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 821** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1408** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1408** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bradford, Campbell, Edmunson, Stevenson, Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1408** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1409** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **S 1409** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 63.

NAYS -- Clark, McKague. Total -- 2.

Absent and excused -- Bradford, Campbell, Edmunson, Stevenson, Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1409** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1410** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1410** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Bradford, Campbell, Edmunson, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1410** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1411** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1411** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Campbell, Smith(24), Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1411** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1412** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1412** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Boe, Bradford, Campbell, Smith(24), Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1412** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1413** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

Mr. Clark asked unanimous consent that, pursuant to Rule (38)3, he be excused from voting on **S 1413** due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall **S 1413** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bradford, Campbell, Clark, Crow, Stevenson, Wills. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1413** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1414** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Robison to open debate.

The question being, "Shall **S 1414** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 64.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Bradford, Campbell, Crow, Smylie, Wills. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1414** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1224** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Douglas and Mr. Eskridge to open debate.

Mr. Sali moved that **S 1224** be placed on General Orders for consideration. Seconded by Mr. Clark.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Bayer, Cannon, Clark, Crow, Gagner, Kellogg, Kulczyk, McGeachin, Moyle, Nielsen, Roberts, Sali, Smith(24), Wood. Total -- 14.

NAYS -- Andersen, Barraclough, Barrett, Bauer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, Jones, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Naccarato, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 53.

Absent and excused -- Campbell, Harwood, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared the motion failed.

The question being, "Shall **S 1224** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Black, Block, Boe, Bolz, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Lake, Langford, Langhorst,

Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail. Total -- 50.

NAYS -- Barrett, Bayer, Bedke, Bell, Bradford, Cannon, Clark, Crow, Harwood, Kellogg, Kulczyk, Moyle, Roberts, Sali, Smith(24), Stevenson, Wood, Mr. Speaker. Total -- 18.

Absent and excused -- Campbell, Wills. Total -- 2.  
Total -- 70.

Whereupon the Speaker declared **S 1224** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1243**, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1243**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Campbell, Gagner, Raybould, Schaefer, Wills. Total -- 5.  
Total -- 70.

Whereupon the Speaker declared **S 1243**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **H 809** be placed on General Orders for consideration. There being no objection, it was so ordered.

**S 1302** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler and Mr. Sali to open debate.

Mrs. Field(18) asked unanimous consent that **S 1302** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

Mr. Moyle moved that the House recess until 1 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1 p.m.

## RECESS

### Afternoon Session

The House reconvened at 1 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Campbell, Wills. Total -- 2.  
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

## Third Reading of Bills and Joint Resolutions

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

## Report of the Committee of the Whole House

March 10, 2004

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **HJM 23** and **H 809** and report them back without recommendation, amended as follows:

### HOUSE AMENDMENT TO HJM 23

#### AMENDMENT TO THE MEMORIAL

On page 1 of the printed memorial, in line 15 delete "04-CV-0061-BR" and insert: "04-CV-0061-RE"; and in line 38, delete "increase" and insert: "decrease".

### HOUSE AMENDMENT TO H 809

#### AMENDMENTS TO THE BILL

On page 1 of the printed bill, delete lines 24 through 41; and in line 42, delete "SECTION 2" and insert: "SECTION 1".

#### CORRECTION TO TITLE

On page 1, delete lines 2 through 9 and insert:

"RELATING TO AN ELECTION ON PROPERTY TAX RELATED MATTERS; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE THAT ANY".

MOYLE, Chairman



Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**HJM 23**, as amended, and **H 809**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Eleventh Order of Business.

### Third Reading of Bills and Joint Resolutions

**S 1303** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1303** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Kellogg, Mitchell. Total -- 3.

Absent and excused -- Campbell, Deal, Naccarato, Sali, Trail, Wills. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1303** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1304** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

Mrs. Ellsworth asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1304**. There being no objection, it was so ordered.

The question being, "Shall **S 1304** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer,

Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Campbell, Deal, Trail, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1304** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1331** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **S 1331** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Kulczyk. Total -- 2.

Absent and excused -- Campbell, Trail, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1331** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1344** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1344** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett,

Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Kulczyk. Total -- 2.

Absent and excused -- Campbell, Trail, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1344** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney asked unanimous consent that **S 1345** retain its place on the Third Reading Calendar for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 751**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 751**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Campbell, Kulczyk, Trail, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 751**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **H 751**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 66.

NAYS -- Harwood. Total -- 1.

Absent and excused -- Campbell, Trail, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 751**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 754**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 754**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Campbell, Kulczyk, Trail, Wills. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 754**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final

consideration.

At this time, the Speaker recognized Mr. Roberts, Mrs. McGeachin, and Mr. Bayer to open debate.

The question being, "Shall **H 754**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bayer, Bedke, Bradford, Collins, Crow, Denney, Eberle, Ellsworth, Eskridge, Field(23), Garrett, Harwood, Kulczyk, Lake, Langford, McGeachin, McKague, Moyle, Nielsen, Raybould, Roberts, Rydalah, Sali, Schaefer, Skippen, Wood, Mr. Speaker.  
Total -- 30.

NAYS -- Andersen, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Cuddy, Deal, Douglas, Edmunson, Field(18), Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Pasley-Stuart, Ridinger, Ring, Ringo, Robison, Sayler, Shepherd, Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail. Total -- 37.

Absent and excused -- Campbell, Gagner, Wills. Total -- 3.

Paired Votes:

AYE -- Collins.	NAY -- Pasley-Stuart.
AYE -- Bedke.	NAY -- Snodgrass.
AYE -- Eberle.	NAY -- Deal.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 754**, as amended, failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 9:30 a.m., Thursday, March 11, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:57 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk